

EXHIBIT E

SUBPOENA DUCES TECUM (CIVIL) -
ATTORNEY ISSUED VA. CODE §§ 8.01-413, 16.1-89, 16.1-265;
 Commonwealth of Virginia Supreme Court Rules 1:4, 4:9

Case No.: CL19-1715

April 26, 2019
 HEARING DATE AND TIME

County of Henrico Circuit

Court

P.O. Box 90775, 4301 East Parham Road, Henrico, VA 23273

COURT ADDRESS

Devin G. Nunes

v./In re:

Twitter, Inc. et al.

TO THE PERSON AUTHORIZED BY LAW TO SERVE THIS PROCESS:

You are commanded to summon

Twitter, Inc.

NAME

Serve: CT Corporation System, Registered Agent, 4701 Cox Road, Suite 285

STREET ADDRESS

Glen Allen

Virginia

23060

CITY

STATE

ZIP

TO the person summoned: You are commanded to make available the documents and tangible things designated and described below:

SEE ATTACHED

at 300 West Main Street, Suite 102, Charlottesville VA 22903 at 04/26/2019 @ 10:00 a.m.

LOCATION

DATE AND TIME

to permit such party or someone acting in his or her behalf to inspect and copy, test or sample such tangible things in your possession, custody or control.

This Subpoena Duces Tecum is issued by the attorney for and on behalf of

Plaintiff, Devin G. Nunes

PARTY NAME

Steven S. Biss, Esquire

NAME OF ATTORNEY

300 West Main Street, Suite 102

OFFICE ADDRESS

Charlottesville, VA 22903

OFFICE ADDRESS

March 26, 2019

DATE ISSUED

32972

VIRGINIA STATE BAR NUMBER

804-501-8272

TELEPHONE NUMBER OF ATTORNEY

202-318-4098

FACSIMILE NUMBER OF ATTORNEY

SIGNATURE OF ATTORNEY

Notice to Recipient: See page two for further information.

RETURN OF SERVICE (see page two of this form)

TO the person summoned:

If you are served with this subpoena less than 14 days prior to the date that compliance with this subpoena is required, you may object by notifying the party who issued the subpoena of your objection in writing and describing the basis of your objection in that writing.

☒ This SUBPOENA DUCES TECUM is being served by a private process server who must provide proof of service in accordance with Va. Code § 8.01-325.

TO the person authorized to serve this process: Upon execution, the return of this process shall be made to the clerk of court.

NAME: _____	
ADDRESS: _____	

<input type="checkbox"/> PERSONAL SERVICE	Tel. No. _____
Being unable to make personal service, a copy was delivered in the following manner:	
<input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above: _____ _____	
<input type="checkbox"/> Posted on front door or such other door as appear to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.)	
<input type="checkbox"/> not found	_____, Sheriff
_____ by _____, Deputy Sheriff	
DATE: _____	

CERTIFICATE OF COUNSEL

I, Steven S. Biss, counsel for Plaintiff, hereby certify that a copy of the foregoing subpoena duces tecum was mailed DELIVERY METHOD to each Defendant, counsel of record for _____, on the 26th day of March, 2019.



 SIGNATURE OF ATTORNEY

ATTACHMENT TO SUBPOENA DUCES TECUM

DEFINITIONS AND INSTRUCTIONS

1. The term “document” shall mean and include all written and graphic matter of every kind and description, whether written or produced or transmitted by computer, typewriter, printer, photocopier or other machine or by hand, whether in printed form or on computer disk, and whether in the actual or constructive possession, custody or control of you, including, without limitation, any and all files, records, disks, emails, text messages, instant messages, direct messages, iMessages, letters, correspondence, memoranda, notes, statements, transcripts, workpapers, sound recordings, cds, dvds, videotapes, charts, reports, books, ledgers, registers, books of account, account statements, financial statements, checks, check stubs, deposit receipts, and any other written, electronic or graphic record of any kind, whether or not such documents are claimed to be privileged from discovery on any ground.

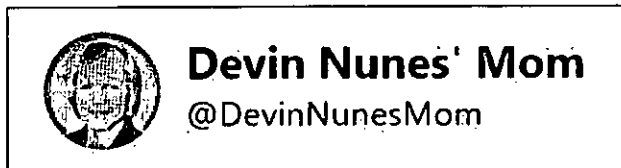
2. “You” and “your” shall mean the person or entity to whom/which this request or subpoena is directed, including his, her, their or its agents, representatives, employees, attorneys, experts, investigators, insurers or anyone acting on behalf of the foregoing.

3. “Person” or “person” means any individual, sole proprietorship, partnership (general or limited), limited liability company, limited liability partnership, corporation, association, trust or other entity.

4. “Nunes” means Plaintiff, Devin G. Nunes, including, without limitation, any agent, representative or employee of Nunes.

5. “Twitter” means defendant, Twitter, Inc., including, without limitation, any officer, director, manager, agent, representative or employee of Twitter.

6. “Devin Nunes’ Mom” means the creator, owner, holder, sponsor, user, or operator, including, without limitation, all officers, directors, managers, members, shareholders, parents, subsidiaries, partners, agents, representations, employees, associates and/or affiliates of such persons or entities, of the following Twitter account:



7. “Devin Nunes’ cow” means the creator, owner, holder, sponsor, user, or operator, including, without limitation, all officers, directors, managers, members, shareholders. Parents, subsidiaries, partners, agents, representations, employees, associates and/or affiliates of such persons or entities, of the following Twitter account:



8. “Relating to” means to refer to, reflect, pertain to, or in any manner be connected with the matter discussed.

9. “Identify” or “identification”, when used in reference to a person, means to state their full name, their present or last known home and business addressees) and their present or last known home and business telephone number(s). “Identify” or “identification”, when used in reference to a document, means to state or specify the type of document, e.g. letter, memoranda, etc., its date, its author, signer, addressee, its contents, and any other information necessary to identify the document for purposes of an interrogatory, request for production of documents or subpoena duces tecum. As an alternative to identifying the document, a copy may be attached to your answer. If any such document was but is no longer in your possession or subject to your control, state what happened to the document. “Identify” or “identification”, when used in reference to a communication, representation or discussion, means to state the person(s) to whom such communication was made, the medium of communication, e.g., letter, telephone, fax, email, etc., the date of such communication, and the subject matter and substance of such communication.

10. “Describe” means state what is requested to be described, including all facts and opinions known and held regarding what is requested to be described, and (I) the identity of each person involved or having knowledge of each fact or opinion relating to what is described, (II) the identity of each document evidencing the answer given or relating to what is disclosed in the answer given, and (III) all relevant or material dates or time periods.

11. If you consider any document called for by a request for production of documents to be privileged from discovery, include in your answer/response a list of the documents withheld, identifying each document by date, author, addressee, all recipients, all persons who have seen the document, the title and a brief description of the subject matter which will allow for a determination whether the document is privileged. Finally, you should state the grounds upon which each document is claimed to be privileged.

12. The definitions used in Plaintiff's Complaint are restated and incorporated herein by reference.

Continued On Next Page

SUBPOENA/REQUEST FOR PRODUCTION OF DOCUMENTS

Plaintiff requests Twitter to produce complete and genuine copies of the following:

1. All documents that identify Devin Nunes' Mom.
2. All documents that identify Devin Nunes' cow.
3. All account creation or account opening documents and information relating to Twitter account @DevinNunesMom, including, without limitation, username registrations, phone numbers, associated phone numbers, emails, email verification requests, email verifications, SMS text messages, text message verifications, transcripts of voice calls, and/or passwords or login verifications, that were submitted or transmitted to Twitter by any person and all updates of such information submitted or transmitted to Twitter after the creation of @DevinNunesMom.
4. All address book contacts for @DevinNunesMom.
5. All direct messages by and between @DevinNunesMom and any person.
6. All account creation or account opening documents and information relating to Twitter account @DevinCow, including, without limitation, username registrations, phone numbers, associated phone numbers, emails, email verification requests, email verifications, SMS text messages, text message verifications, transcripts of voice calls, and/or passwords or login verifications, that were submitted or transmitted to Twitter by any person and all updates of such information submitted or transmitted to Twitter after the creation of @DevinCow.
7. All address book contacts for @DevinCow.
8. All direct messages by and between @DevinCow and any person.

**THIS REQUEST IS CONTINUING IN NATURE AS
PROVIDED FOR IN THE RULES.**

**PLAINTIFF HEREBY REQUESTS THAT TWITTER
SUPPLEMENT ITS RESPONSES IMMEDIATELY UPON RECEIPT
OF ADDITIONAL DOCUMENTS AND INFORMATION.**